

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

NEBETCO STAINLESS, INC.,

Plaintiff,

v.

ORDER
09-CV-438A

JTEKT AUTOMOTIVE TENNESSEE-
MORRISTOWN INC., et al.,

Defendants.

The above-referenced case was referred to Magistrate Judge Jeremiah J. McCarthy, pursuant to 28 U.S.C. § 636(b)(1)(B). On May 27, 2009, Magistrate Judge McCarthy filed a Report and Recommendation, recommending that plaintiff's motion be granted to the extent that it seeks remand of this action to State of New York Supreme Court, County of Erie, and that it be otherwise denied as moot.

The Court has carefully reviewed the Report and Recommendation, the record in this case, and the pleadings and materials submitted by the parties, and no objections having been timely filed, it is hereby

ORDERED, that pursuant to 28 U.S.C. § 636(b)(1), and for the reasons set forth in Magistrate Judge McCarthy's Report and Recommendation, plaintiff's motion is granted to the extent that it seeks remand of this action to State of New York Supreme Court, County of Erie, and is otherwise denied as moot.

The Clerk of Court shall take all steps necessary to close the case.

SO ORDERED.

s/ Richard J. Arcara

HONORABLE RICHARD J. ARCARA
CHIEF JUDGE
UNITED STATES DISTRICT COURT

DATED: June 22, 2009